

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RICHARD C. SPRUEL JR.,

Plaintiff,

v.

HAROLD CLARKE *et al.*,

Defendants.

Case No. C06-5021RJB

ORDER GRANTING PLAINTIFF'S
MOTION FOR AN EXTENSION OF
TIME TO CONDUCT DISCOVERY
AND RE-NOTING DEFENDANTS
MOTION TO DISMISS

This action, brought pursuant to 42 U.S.C. 2000, has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. § 636(b)(1)(B). Before the court is plaintiff's motion to extend discovery (Dkt. # 41). Plaintiff asks for a 90 day extension of time.

Defendants have responded (Dkt. # 44). Defendants note they have a motion to dismiss at the Fed. R. Civ. P. 12 (c) stage pending. The motion to dismiss is (Dkt. # 42). Defendants ask discovery be stayed until after a ruling on their motion to dismiss. Defendants state they do not oppose a 45 day extension of time to conduct discovery, but believe a 90 day extension is too long a time frame.

A short extension of time to conduct discovery until **January 12th, 2007** is **GRANTED**.

1 Defendants motion to dismiss, (Dkt. #42), is re-noted for **January 26th, 2007**.

2 The clerk's office is directed to send copies of this order to plaintiff and counsel for
3 defendants. The Clerk's office should remove (Dkt. # 41 and 44) from the court's calendar, note the
4 **January 12th, 2007** discovery cutoff date and the **January 26th, 2007** noting date for defendants
5 motion to dismiss.

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8 DATED this 22nd, day of November, 2006.

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10 /S/ J. Kelley Arnold
11 J. Kelley Arnold
12 United States Magistrate Judge
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